

Document Page 1 of 2
United States Bankruptcy Court
Eastern District of Pennsylvania

IN RE:**Lonardo, Tommaso V.**

Debtor(s)

Case No. **14-12937**Chapter **13****CHAPTER 13 PLAN**☐ Original ☒ Amended Date: **July 9, 2014.**

YOUR RIGHTS WILL BE AFFECTED. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this plan or any motion included below must file a timely written objection. This plan may be confirmed and the motions included below may be granted without further notice or hearing unless written objection is filed before the deadline stated on the separate Notice you should have received from the bankruptcy court. If you have a secured claim, this is notice that your lien may be voided or modified if you do not object to this plan.

THIS PLAN DOES NOT ALLOW CLAIMS. You must file a proof of claim to be paid under any plan that may be confirmed.

1. PAYMENT AND LENGTH OF PLAN

(a) Debtor shall pay **\$ 1,252.67** per **month** to the Chapter 13 Trustee for **8** months followed by **\$2,581.50** per month for **52** months.

☒ Debtor will pay directly to the trustee

☐ A payroll deduction order will issue to the Debtor's employer:

(c) Other payments to trustee: As per the Court's order of July 8th, 2014 in the adversary case number 14-220, the Trustee shall be paid from people first \$23,480.75 for unsecured creditors and the Debtor shall pay \$13,255.27 through this plan for unsecured creditors.

(d) Total amount to be paid to Trustee shall be not less than **\$144,240.13.**

2. PRIORITY CLAIMS (INCLUDING ADMINISTRATIVE EXPENSES AND SUPPORT)

All allowed priority claims will be paid in full unless creditor agrees otherwise:

| Creditor | Type of Priority | Scheduled Amount |
|--|------------------|-------------------|
| The Law Offices of Everett Cook, P.C. | Attorney's Fees | \$6,000.00 |
| Berkheimer | Taxes | 44.00 |
| City Of Allentown | Taxes | 341.00 |
| IRS - 2009 | Taxes | 8483.47 |
| IRS - 2010 | Taxes | 34,980.82 |
| IRS - 2011 | Taxes | 8,975.49 |
| IRS - 2012 | Taxes | 9,951.29 |
| IRS - 2013 | Taxes | 15,459.60 |
| PA Dept Revenue | Taxes | 810.56 |
| Attorney Susan Mauer | Attorney's Fees | \$2,000.00 |

3. SECURED CLAIMS: MOTIONS TO VALUE COLLATERAL AND VOID LIENS UNDER 11 U.S.C. § 506

(a) Debtor moves to value collateral as indicated in the "value" column immediately below. Trustee shall pay allowed secured claims the value indicated or the amount of the claim, whichever is less. The portion of any allowed claim that exceeds the value indicated shall be treated as an unsecured claim. Debtor moves to void the lien of any creditor with "NO VALUE" specified below.

| Creditor | Collateral | Scheduled Debt | Value | Interest Rate | Monthly Payment |
|-------------|------------|----------------|-------|---------------|-----------------|
| None | | | | | |

(b) Debtor surrenders or abandons the following collateral. Upon confirmation, the stay is lifted as to surrendered or abandoned collateral.

| Creditor | Collateral to be Surrendered or Abandoned |
|-------------------|--|
| Green Tree | 924-928 East Linden Street, Allentown, PA |

4. UNSECURED CLAIMS

(a) **Not Separately Classified.** Allowed non-priority unsecured claims shall be paid:

☒ to be distributed pro rata.

☐ Not less than _____ percent.

☐ Other: _____.

(b) Separately Classified Unsecured Claims

| Creditor | Basis for Classification | Treatment | Amount |
|-------------|--------------------------|-----------|--------|
| None | | | |

5. CURING DEFAULT AND MAINTAINING PAYMENTS

(a) Trustee shall pay allowed claims for arrearages, and Trustee shall pay regular postpetition contract payments to these creditors:

| Creditor | Collateral or Type of Debt | Estimated Interest Rate Arrearage (arrearage) | Monthly Arrearage Payment | Regular Monthly Payment |
|-------------|----------------------------|--|------------------------------|----------------------------|
| None | | | | |

(b) Trustee shall pay allowed claims for arrearages, and Debtor shall pay regular postpetition contract payments directly to these creditors:

| Creditor | Collateral or Type of Debt | Estimated Interest Rate Arrearage (arrearage) | Monthly Arrearage Payment | Regular Monthly Payment |
|------------------|----------------------------|--|------------------------------|----------------------------|
| Wells Fargo Bank | Residence | \$19,677.98 | | \$1,405.57 |
| Quaint Oak Bank | Business Office | \$12,000.00 | | \$1,950.00 |

6. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Executory contracts and unexpired leases are assumed or rejected as follows:

| Creditor/Lessor | Property Description | Assume/Reject |
|---------------------------------|-------------------------------------|---------------|
| Lexus Financial Services | Lease of Nexus Lexus Service | Assume |

7. OTHER PLAN PROVISIONS AND MOTIONS

(a) **Motion to Avoid Liens under 11 U.S.C. § 522(f).** Debtor moves to avoid the following liens that impair exemptions:

| Creditor | Collateral | Amount of Lien to be Avoided |
|-------------|------------|------------------------------|
| None | | |

(b) **Lien Retention.** Except as provided above in Section 5, allowed secured claim holders retain liens until:

- ☐ Liens are released at discharge.
☒ Liens are released upon payment of allowed secured claim as provided above in Section 3.
☐ Liens are released upon completion of all payments under the plan.

(c) **Vesting of Property of the Estate.** Property of the estate shall revest in Debtor:

- ☒ Upon confirmation
☐ Upon discharge
☐ Other: _____.

(d) **Payment Notices.** Creditors and lessors provided for above in Sections 5 or 6 may continue to mail customary notices or coupons to the Debtor or Trustee notwithstanding the automatic stay.

(e) **Order of Distribution.** Trustee shall pay allowed claims in the following order:

- Trustee Commissions**
Other Administrative Claims
Priority Claims
Secured Claims
General Unsecured Claims

(f) **Other Plan Provisions:** Debtor is surrendering the rental property located at 924 - 928 East Linden Street, Allentown PA. Debtor is keeping his other two properties secured by the banks listed under paragraph 5(b) of this plan. All of debtors real property is located on Linden Street in Allentown but the three unit Linden Street property numbered 924-928 in being surrendered through this bankruptcy.

Dated: **July 9, 2014**

/s/ Everett Cook

Signature of Attorney

/s/ Tommaso V. Lonardo

Signature of Debtor

Signature of Spouse (if applicable)